

1: CV 01-1241

BRIEF IN SUPPORT OF MOTION

J. K. Are

FILED
HARRISBURG, PA

OCT 09 2002

MARY E. D'ANDREA, CLERK
Per JTS
Deputy Clerk

1. Pro se Plaintiff this is her right to file counter-affidavits.

Background:

On July 3, 2001, Plaintiff filed a pro se complaint with this Court, alleging that Defendants Ingram Micro U.S. ("Ingram") and multiple employees of Ingram discriminated against her because of her race, sex and/or age when failing to hire her as a permanent box maker or shipping clerk, and when terminating her temporary employment. Plaintiff also asserts a claim for hostile work environment and a retaliation claim under Title VII of the Civil Rights Act of 1964. Shortly after filing her complaint, Plaintiff informed the Court she had suffered from a stroke and was in need of legal assistance in order to properly prosecute her claims. The Court was unable to find pro bono counsel to represent Plaintiff, and informed her that she would be required to proceed on her own. See 3/6/2002 Order.

2. Responsive Material

Exhibit #8 shows pro se Plaintiff's hourly rate at \$6.50 / hour.

3. Fair Notice requirements of the Summary Judgement.

If Pro se Plaintiff were hired as a Shipping Clerk I (4/1/97), full time from 3:00 pm - 11:30 pm, after five years of service she could have become a Senior Clerk. Plaintiff seeks lost wages, benefits, pay raises, holidays, vacation, and bonuses.

Plaintiff seeks punitive and compensatory damages (tax-free) for past and future pecuniary losses, emotional pain and suffering, inconvenience, mental anguish, loss of enjoyment of life and other non pecuniary losses.

Plaintiff worked for the Defendants in good faith.

4. Plaintiff began full-time employment at Giant:


11-14-98	\$7.65
3-25-99	\$8.25
9-25-99	\$8.60
3-25-00	\$9.00
9-25-00	\$9.75
3-25-01	\$10.05
9-25-01	\$10.35
3-25-02	\$10.65
9-25-02	\$10.95
3-25-03	\$11.30

Shirley A. Bark-Benn

10-9-02

CERTIFICATE OF SERVICE

PAUL J. DELLASEGA, ESQ.
#23146
305 North Front Street
P.O. Box 999
Harrisburg, PA 17108
(717) 255-7621



Shirley A. Banks-Bennett

10-9-02

Date

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